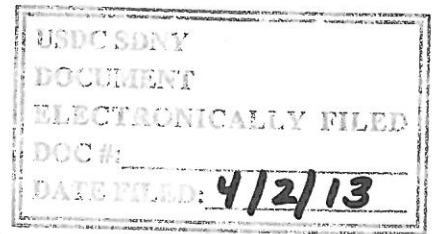


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK



IN RE: TERM COMMODITIES
COTTON FUTURES LITIGATION

Master Docket
No. 12-cv-5126 (ALC) (KNF)

This Document Relates to: All Actions

BRIAN LEDWITH and ADAM
HARRINGTON, Individually And On Behalf
Of All Other Persons Similarly Situated,

Plaintiffs,

-against-

TERM COMMODITIES, INC., ALLENBERG
COTTON CO., JOSEPH NICOSIA, LOUIS
DREYFUS COMMODITIES B.V., LOUIS
DREYFUS COMMODITIES LLC, and JOHN
DOES NOS. 1-10,

Defendants.

No. 12-cv-5732 (ALC) (KNF)

STIPULATION AND ~~PROPOSED~~
ORDER

**JOINT STIPULATION AND ~~PROPOSED~~ ORDER
REGARDING CONSOLIDATION OF RELATED ACTION**

WHEREAS, on July 19, 2012, Plaintiffs in the following cases filed a motion to consolidate ("Consolidation Motion") the following actions ("Subject Actions") pursuant to Federal Rule of Civil Procedure 42(a): (1) *Allen v. Term Commodities et al.*, No. 12-cv-5216 (S.D.N.Y.); *Walford v. Term Commodities et al.*, No. 12-cv-5269 (S.D.N.Y.); (3) *Pinkham v. Term Commodities et al.*, No. 12-cv-5334 (S.D.N.Y.); (4) *Meierfeld v. Term Commodities et al.*, No. 12-cv-5380 (S.D.N.Y.); (5) *Satullo v. Term Commodities et al.*, No. 12-cv-5470 (S.D.N.Y.); and (6) *Crosta v. Term Commodities et al.*, 12-cv-5563 (S.D.N.Y.) (Dkt. 4);

WHEREAS, on July 26, 2012 – one week after the Consolidation Motion was filed – a related action captioned *Ledwith et al. v. Term Commodities et al.*, 12-cv-5732 (S.D.N.Y.) (“*Ledwith* Action”) was filed, which alleged identical claims against the same defendants;

WHEREAS, on August 13, 2012, the Court entered Pretrial Order No. 1 (Dkt. No. 14) consolidating the “Subject Actions” under the caption *In re Cotton Term Commodities Futures Litigation*, 12-cv-5126 (S.D.N.Y.) (“Consolidated Action”);

WHEREAS, the *Ledwith* Action was not expressly referenced in Pretrial Order No. 1 because it was not the subject of the Consolidation Motion and was filed thereafter; and

WHEREAS, Paragraph 9(a) of Pretrial Order No. 1 provides that Pretrial Order No. 1 “shall apply to each case alleging claims similar to those set forth in these consolidated actions”;

IT IS HEREBY STIPULATED AND AGREED by and between the parties that the *Ledwith* Action shall be consolidated as part of *In re Cotton Term Commodities Futures Litigation*, 12-cv-5126 and that all motions and related pleadings heretofore filed in the *Ledwith* Action shall be deemed to have been filed in the Consolidated Action.

Respectfully Submitted,

Dated: April 1, 2013

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Counsel for All Defendants

PURSUANT TO STIPULATION,
IT IS SO ORDERED:

Andrew L. Carter, Jr.

Hon. Andrew L. Carter, Jr.
United States District Judge

DATED: 4/2/13